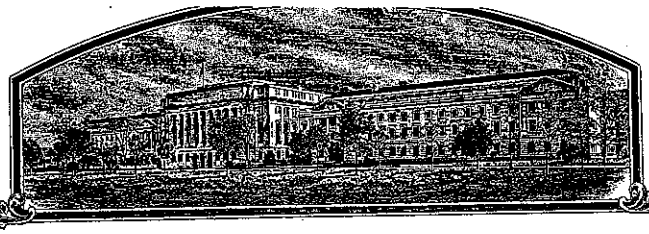

No. 200200018

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

ProSeeds Marketing, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, [illegible] CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE , OR CONDITIONING IT [illegible] PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR [illegible] NT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 [illegible] AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

FESCUE, TALL

'Finelawn Elite'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of Washington, D.C. this nineteenth day of November, in the year two thousand and four.*

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[illegible] of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055 EXPIRES 12-31-96

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) *(as it is to appear on the Certificate)*
ProSeeds Marketing, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER
DLSD

3. VARIETY NAME
Finelawn Elite
Jas 9/21/04

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
13963 Westside Lane, South
Jefferson, Oregon 97352

5. TELEPHONE *(include area code)*
(541) 928 - 9999

FOR OFFICIAL USE ONLY

PVPO NUMBER
20020018

6. FAX *(include area code)*
(541) 924 - 5695

FILING DATE
October 29, 2001

7. GENUS AND SPECIES NAME
Festuca arundinacea

8. FAMILY NAME *(Botanical)*
Poaceae

9. CROP KIND NAME *(Common name)*
Tall Fescue

FEES RECEIVED
FILING AND EXAMINATION FEE:
$ 2450 + $255
DATE
10/29/01 12/18/01
CERTIFICATION FEE:
$ 432
DATE
9/21/04

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)* (Common Name)

11. IF INCORPORATED, GIVE STATE OF INCORPORATION
Oregon

12. DATE OF INCORPORATION
May 16, 1990

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
Dick Olson
13963 Westside Lane, South
Jefferson, Oregon
97352

14. TELEPHONE *(include area code)*
(541) 928 - 9999

15. FAX *(include area code)*
(541) 924 - 5695

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow instructions on reverse)*

a. ☒ Exhibit A. Origin and Breeding History of the Variety

b. ☒ Exhibit B. Statement of Distinctness

c. ☒ Exhibit C. Objective Description of the Variety

d. ☒ Exhibit D. Additional Description of the Variety *(Optional)*

e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership

f. ☒ Voucher Sample *(2500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)*

g. ☒ Filing and Examination Fee ($2,450), made payable to "Treasure of the United States" *(Mail to PVPO)*

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)

☐ YES *(If "yes," answer items 18 and 19 below)* ☒ No *(If "no," go to item 20)*

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☒ Yes ☐ No

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDERS SEED?

☒ FOUNDATION ☒ REGISTERED ☒ CERTIFIED

20. HAS THE VARIETY OR HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

☐ YES *(If "yes," give names of countries and dates)* ☒ NO

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT *(Owner(s))*		SIGNATURE OF APPLICANT *(Owner(s))*	
NAME *(Please print or type)* Richard W. Olson		NAME *(Please print or type)*	
CAPACITY OR TITLE Pres	DATE 10-22-01	CAPACITY OR TITLE	DATE

STD-470 (03-96) *(Previous additions are to be destroyed)* *(See reverse for instructions and information collection burden statement)*

Exhibit A:

Origin and Breeding History

〈DLSD〉Tall Fescue
'Finelawn Elite'
Jas 9/21/04

DLSD tall fescue (*Festuca arundinacea* Schreb.) is a turf-type cultivar developed from the maternal progenies of 40 clones. Twenty-eight similar and related clones served as additional pollen parents. Thirty-five of the maternal parents contained a *Neotyphodium* endophyte. The 69 parental clones of DLSD were selected from 29 single plant progenies from 12 separate breeding populations, each developed by the Rutgers University turfgrass breeding program. None of the plants used were selected from a known named or commercial cultivar.

DLSD traces its parental ancestry to tall fescue plants selected from old turfs in New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Georgia, Tennessee, Texas, Kentucky, Ohio, Kansas, Missouri, and Idaho in a continuous germplasm and population improvement program initiated in 1962 to improve tall fescue for turf use. Plants selected from old lawn-type turfs and closely grazed pastures were usually over 1 meter in diameter indicating that they had persisted and spread for many years in stressful environments. Additional germplasm was selected from populations used to develop Rebel tall fescue (1). Rebel also traces most of its parental germplasm to similar germplasm collections from the eastern U.S. The origin of the seed used to establish these turfs is unknown. The collected plants and their progenies were very different than any known cultivar available at the time of collection. Collected plants were initially evaluated in closely mowed clonal tests to assess turf performance and in spaced-plant nurseries. Single-plant progenies of the most promising clones were seeded in turf trials, subjected to disease, insect pests, frequent close mowing, heat, drought, winter cold, and other stresses which severely limited the survival and appearance of all named cultivars and most selections. Plants selected from the best performing progenies were subsequently established in spaced-plant nurseries where they

Exhibit A cont'd:

were selected for an attractive darker green color; a leafy, lower, turf-type growth habit; finer leaves; relative freedom from disease; tolerance of heat and drought; and high seed production characteristics. The best performing plants were allowed to interpollinate and produce seed to initiate another cycle of selection in closely mowed turf test.

After varying cycles of phenotypic and genotypic selection, a total of 2,160 plants were selected from single-plant progeny turf trials established during the late summers of 1992 and 1995. These plants were moved to a spaced-plant nursery at the Rutgers University Plant Science Research and Extension Farm at Adelphia, New Jersey during September, 1996. Sixty-eight plants were selected from this nursery immediately prior to anthesis during the late spring of 1997 and moved to an isolated crossing block. Selection was based on a rich, attractive, dark-green color; high shoot density, semi-dwarf growth habit; medium maturity, freedom from disease, and high seed production characteristics. Seed was subsequently harvested from 40 plants based on high floret fertility, high yield of good quality seed, and freedom from disease. Single plant progenies of each maternal parent was seeded in a turf trial at Adelphia, New Jersey in September 1997 with additional seed of each progeny sent to Advanta Seeds Pacific, Inc. in western Oregon for increase.

In 1997 a seed increase block containing 60 plants of 40 progeny lines (2,400 total plants), was established. The remaining seed from the 40 progeny lines were bulked and the seed was used to establish a morphological nursery for Plant Variety Protection (PVP) measurements. In 1998 negative mass selection was used and 2% of the plants were rogued from the population.

References:

(1) Funk, C.R., R.F. Engel, W. K. Dickson, and R. H. Hurley. 1981. Registration of Rebel tall fescue. Crop Sci. 21:632.

2. Breeder Seed Maintenance:

A breeder seed block was planted in isolation in 1997. Breeder seed was harvested in bulk (2% rogued), in 1998 and is maintained in cold storage. Seed propagation is limited to three generations, one each of foundation, registered, and certified. Foundation fields were planted in 1998.

3. Stability and Uniformity:

DLSD is a stable, uniform cultivar. Stability and uniformity has been observed in breeder and foundation seed multiplications (two generations), seed yield rows, and turf plots. Neither offtype or variant plants have been observed in the multiplication process.

Exhibit B:

Novelty Statement for DLSD Tall Fescue
'Finelawn Elite'
Ja.d
7/21/04

The following summary outlines the distinctive characteristics of DLSD. The novelty of DLSD is based on the unique combination of these characteristics. DLSD is most similar to Wyatt, but may be differentiated by using the following criteria:

1) The spikelet length is shorter for DLSD than for Wyatt (tables 2A, 2B).

2) DLSD exhibits a low frequency of color in the nodes on the flowering culm than Wyatt (tables 3A, 3B).

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY PROGRAM
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT C
(TALL & MEADOW FESCUES)

OBJECTIVE DESCRIPTION OF VARIETY
TALL & MEADOW FESCUES
(*Festuca* spp.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
ProSeeds Marketing, Inc.	DLSD	Fineleaven Elite Jas 9/21/04

ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)

13963 Westside Lane, South
Jefferson, Oregon
97352

FOR OFFICIAL USE ONLY
PVPO NUMBER
20020018

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089). Characteristics described, including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characteristics marked with an asterisk * are characteristics which should be recorded.

* 1. SPECIES: (With comparison varieties, use varieties within the species of the application variety)

_1___ 1 = *F. arundinacea* (Tall)

Turf Types

1 = Kentucky 31 2 = Rebel 3 = Olympic 4 = Bonanza 5 = Arid 6 = Rebel II

7 = Shortstop 8 = Silverado 9 = Rebel Jr. 10 = Mini Mustang 11 = Crewcut 12 = Bonsai

Forage Types

20 = Kentucky 31 21 = Martin 22 = Forager 23 = Mozark

24 = Kenhy 25 = AU Triumph 26 = Fawn 27 = Cajun

_____ 2 = *F. pratensis* (Meadow)

30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader

* 2. CYTOLOGY:

2N=42 Chromosome Number

3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)

__0__Transition Zone __2__West __2__ Northeast __0__ Other (Specify):_____

* 4. MATURITY: (Date First Headed, 10% of Panicle Emergence)

__5__ Maturity Class 1 = Very early ( ) 2 = AU Triumph 3 = Early (Fawn) 4 = K31, Kenhy 5 = Medium (Rebel)

4. MATURITY: (continued)

6 = Bonanza 7 = Late (Silverado) 8 = ( ) 9 = Very late

Date Headed ___29.5_(days after April 1) Location___Albany, Oregon

_____ Days earlier than _____
Maturity same as _____
_4___Days later than _1___
} Comparison Variety

* 5. MATURE PLANT HEIGHT CM: (Average of 100 culms from crown to top of panicle, if panicle is nodding, straighten)

111.2_ cm Height

_26.8_ cm Shorter than _1_
Height same as ___
__ __.__ cm Taller than ___
} Comparison Variety

* INTERNODE LENGTH CM: (First internode subtending the flag leaf)

20. 4 cm InternodeLength

_8.4_ cm Shorter than _1_
Length same as ___
__ __.__ cm Longer than ___
} Comparison Variety

* HEIGHT AT EAR EMERGENCE CM: (Flag leaf height from crown to flag leaf node)

_34.1_ cm Height

_12.0_ cm Shorter than 1_
Height same as ___
__ __.__ cm Taller than ___
} Comparison Variety

* 6. GROWTH HABIT: (Mature Plants)

_8_ 1 = Prostrate ( ) 3 = Semiprostrate ( ) 5 = Horizontal ( )

7 = Semierect (Rebel) 9 = Erect (Mini Mustang) See Table 3

* 7. RHIZOMES (Psuedo):

__ __.__ mm Length X_1 = Absent (1) 2 = Rare (Rebel) 3 = Common ( )

* 8. LEAF BLADE: (Tiller leaves/ turf color)

*_6_ Color: 1 = Light green ( ) 3 = Medium light green (1) 5 = Green ( )

7 = Medium dark green ( ) 9 = Very dark green ( )

_3____ Specify rating of comparison variety

*_1_ Anthocyanin: 1 = Absent (1) 9 = Present ( )

*_1_ Basal Hairs: 1 = Absent (1) 9 = Present ( )

*_5_ Margins: 1 = Smooth ( ) 5 = Semi-rough ( ) 9 = Rough (1)

8. LEAF BLADE: (continued)

*_5_Width Class: 1 = Very coarse ( ) 3 = Coarse (1) 5 = Medium ( )

7 = Fine ( ) 9 = Very Fine ( )

* TILLER LEAF LENGTH CM: (First leaf subtending the flag leaf)

_20.3 cm Tiller Leaf Length

__5.5 _ cm Shorter than _1_
Length same as ___
__ __.__ cm Taller than ___
} Comparison Variety

* TILLER LEAF WIDTH MM:

_4.7__ mm Tiller Leaf Width

_2.7 mm Narrower than_1_
Width same as ___
__.__ mm Longer than ___
} Comparison Variety

FLAG LEAF LENGTH CM:

_12.0 cm Flag Leaf Length

_3.0_ cm Shorter than 1__
Length same as ___
__.__ cm Longer than ___
} Comparison Variety

FLAG LEAF WIDTH MM:

_5.5_ mm Flag Leaf Width

_0.7_ mm Narrower than _1_
Width same as ___
__.__ mm Wider than ___
} Comparison Variety

* 9. LEAF SHEATH: (Basal Portion)

*_9_ Anthocyanin (seedling): 1 = Absent (K31) 9 = Present (X) See Table 3

*_9_ Auricle Hairiness: 1 = Absent ( ) 9 = Present (1)

* 10. PANICLE: (At seed maturity except where noted.)

*_6_ Shape: 1 = Narrow-tapering ( ) 5 = Ovate ( ) 7 = Oblong (1) 9 = Other (specify)

*_6_ Type: 1 = Compact (appressed) 5 = Intermediate ( ) 7 = Open (1) 9 = Other (specify)

*_8_ Orientation: 1 = Nodding ( ) KY-31 = 4 9 = Erect ( )

*_1_ Branch Pubescence: 1 = Glabrous (1) 9 = Pubescent ( )

*_1_ Anther Color (At anthesis): 1 = Yellowish Green 2 = Green 3 = Bluish Green
4 = Purplish 5 = Reddish 6= Other (Specify)

*_1_ Glume Color (At anthesis): 1 = Yellowish Green 2 = Green 3 = Bluish Green
4 = Purplish 5 = Reddish 6= Other (Specify)

*65 .7_ cm Panicle Length (from base to tip, if nodding, straighten; after anthesis)

10.9 cm Shorter than _1_
Length same as ___
__.__ cm Longer than ___
} Comparison Variety

* 11. SEED: (With Lemma & Palea) 20020018

*_2326 __ __ mg per 1000 seeds

_1139 __ mg Less than _1_
Weight same as ___
__ __ __ mg More than ___
} Comparison Variety

PALEA: (Keels or Margins) _2_ Hairs: 1 = Absent ( ) 5 = Short (Missouri 96) 9 = Long ( )

LEMMA: _1_ Hairs: 1 = Absent (Kenhy) 5 = Several ( ) 9 = Many (Missouri 96)

_6.0_ mm Lemma Length (Mature)

_0.8_ mm Shorter than _1_
Length same as ___
__.__ mm Longer than ___
} Comparison Variety

_1.1_ mm Lemma Width

__.__ mm Narrower than ___
Width same as _1_
__.__ mm Wider than ___
} Comparison Variety

*AWNS: _9_ AWNS: 1 = Absent ( ) 9 = Present (Falcon) _100_% Plants with awns

_1.1_ mm Awn length (Of those present.)

__.__ mm Shorter than ___
Length same as _1_
__.__ mm Longer than ___
} Comparison Variety

12. DISEASE, INSECT, AND NEMATODE REACTION: (0= Not Tested 1= Least Resistant 9= Most Resistant)

_0_ Melting-out *Drechslera poae*
_0_ Leaf Spot *D. siccans*
_0_ Net Blotch *D. dictyoides*
_0_ Brown Patch *Rhizoctonia solani*
_0_ C. Leaf Spot *Cercospora fectucae*
_0_ Pink Snow Mold *Gerlachia nivalis*
_0_ Silver Top *F. tricinctum, F. roseum*
_0_ Blind Seed *Gloeotinia temulenta*
_0_ Dollar Spot *Lanzia, Mollerdiscus* spp.
_0_ Stem Rust *Puccinia graminis*
_0_ T. Blight *Typhula incarnata*
_0_ Pythium Blight *Pythium* spp.
_0_ Powdery Mildew *Erysiphe graminis*
_0_ Crown Rust *Puccinia coronata*

_0_ Other Disease _____
_0_ Other Insect _____
_0_ Other Nematode _____

13. ENVIRONMENTAL STRESS

_5_ Drought Stress 1 = Susceptible ( ) 5 = Tolerant (1) 9 = Resistant ( )
_5_ Shade Stress 1 = Susceptible ( ) 5 = Tolerant (1) 9 = Resistant ( )

13. ENVIRONMENTAL STRESS: (continued)

_5_ Winter Stress 1 = Susceptible ( ) 5 = Tolerant (1) 9 = Resistant ( )

14. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics, indicate the degree of resemblance with the following scale:

1 = Application variety is less than comparison variety 2 = Same as 3 = More than, better, greater, darker, etc.

Character	Varieties	Rating	Character	Varieties	Rating
Leaf Width	KY-31	1	Leaf Color	KY-31	3
Panicle Color	KY-31	-	Panicle Shape	KY-31	1
Seed Size	KY-31	1	Cold Injury	KY-31	-
Winter Color	KY-31	-	Heat	KY-31	-
Disease	KY-31	-			

* 15. EXPERIMENTAL: Give a brief summary of the experimental design utilized to collect the data used on this form. Cultural conditions, number of plants measured and plant spacing must be specified.

A morphological nursery designated 97PVPFA1 was established in September of 1997, in Albany, Oregon. Experimental design consisted of 8 entries; 4 replications per entry; 20 plants per replication; for a total of 80 plants per entry. KY-31 and Wyatt were used as standards. Plants were established on 2.5 foot centers with a skip row between replications and between entries.

The nursery received 30 pounds of nitrogen per acre rate following establishment and 50 pounds of nitrogen per acre per year in 1998 and 1999. The fertilizer source was 15-15-15 and was applied as a split application with ½ applied in the spring and ½ in the fall. The nursery was sprayed twice each spring, 3 weeks between applications, with Tilt (2 oz/acre rate), to prevent stem rust. One pound of Karmex per acre rate was applied during late summer to prevent emergence of volunteer seedlings.

Data was analyzed using analysis of variance for a randomized complete block design. Means were calculated for each replication and then analyzed.

Exhibit D:

Additional Description

DLSD Tall Fescue

Fineleaver Elite

Jan 9/21/04

DLSD is an improved turf-type tall fescue. It has a shorter growth habit (tables 1A, 1B) and a narrower leaf width (tables 1A, 1B) than previously released tall fescue cultivar, such as KY-31. DLSD has a medium maturity and a heading date later than KY-31 (tables 1A, 1B). DLSD has a significantly shorter distance from the apex of the panicle to the lower most whorl than KY-31 (tables 1A, 1B). In addition, the flag leaf characteristics (length, width, internode, sheath length) for DLSD are all shorter than KY-31.

DLSD has a dominance of yellow anthers like KY-31 and Wyatt (tables 3A, 3B). Wyatt and KY-31 show a greater degree of pigment in the nodes on the flowering culm than DLSD (tables 3A, 3B). The length of the spikelet is longer for Wyatt and KY-31 than for DLSD (tables 2A, 2B).

Panicle Type Inflorescence

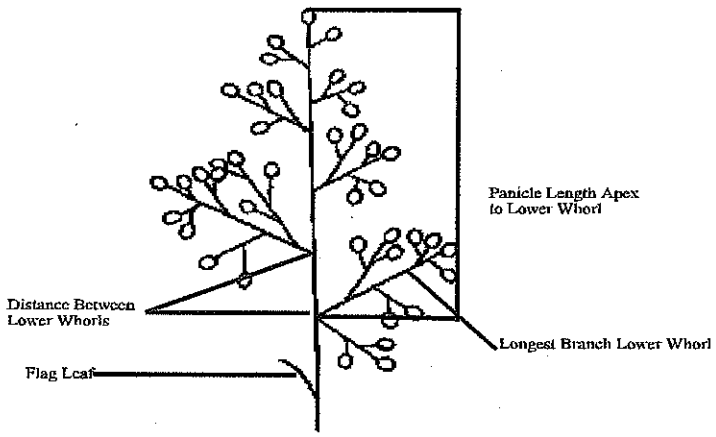

Illustration 1.

Table 1A

1998 Field Morphological Measurements

Cultivar	Genetic Color 9=dark	Heading Date (Days after April,1)	Anthesis Date (Days after April, 1)	Mature Plant Height (cm)	Plant Width (cm)	Panicle Length (cm)	Flag Leaf Length (cm)	Flag Leaf Height (cm)	Flag Leaf Internode Length (cm)	Flag Leaf Sheath Length (cm)	Flag Leaf Width (mm)	Leaf Blade Height (cm)	Leaf Blade Length (cm)	Leaf Blade Width (mm)	Leaf Sheath Sheath Length (cm)
BR-1	6.50	32.75	64.00	102.48	26.08	58.23	10.38	30.80	21.13	20.55	4.50	25.83	20.55	4.75	5.20
DLSD	6.25	29.50	62.50	111.23	27.08	65.75	12.08	34.18	20.40	21.83	5.50	30.68	24.00	5.50	6.35
TSD	6.50	34.75	64.50	95.23	26.18	54.38	9.85	29.93	18.08	20.50	4.75	27.33	21.20	4.75	6.00
TFC-7001	7.00	35.75	65.25	93.58	25.78	52.53	9.80	30.85	19.00	21.23	4.25	27.55	21.35	5.75	5.95
Wyatt	6.00	30.50	62.50	108.75	26.20	62.83	10.05	33.00	21.88	22.68	4.50	29.85	23.15	4.50	5.78
KY-31	3.50	25.50	62.00	138.10	32.10	76.68	15.08	46.23	28.88	31.45	6.25	45.28	37.03	6.75	7.45
LSD 5%	0.55	1.28	1.21	5.35	2.22	5.09	1.02	1.58	1.97	0.92	0.60	4.41	3.80	0.42	0.76
C.V.	7.50	3.31	1.57	4.12	6.86	6.84	9.09	3.89	7.55	3.34	10.44	11.83	12.87	6.80	10.45

Measurement taken in Albany, Oregon.
4 reps; 20 plants/rep = 80 data points.
- Cultivar under evaluation
- significant difference over two years one location.
- significant difference over one year one location.

Table 1B

1999 Field Morphological Measurements

Cultivar	Genetic Color 9=dark	Heading Date (Days after April,1)	Anthesis Date (Days after April, 1)	Mature Plant Height (cm)	Plant Width (cm)	Panicle Length (cm)	Flag Leaf Length (cm)	Flag Leaf Height (cm)	Flag Leaf Internode Length (cm)	Flag Leaf Sheath Length (cm)	Flag Leaf Width (mm)	Leaf Blade Height (cm)	Leaf Blade Length (cm)	Leaf Blade Width (mm)	Leaf Sheath Sheath Length (cm)
BR-1	6.00	36.50	68.25	100.23	32.48	62.20	11.55	32.55	22.18	20.78	3.50	31.98	18.98	4.25	12.73
DLSD	5.75	33.00	67.00	110.33	33.33	71.23	13.35	35.85	23.53	22.53	3.75	33.48	20.38	4.75	12.83
TSD	6.00	40.75	70.50	95.85	33.93	60.30	10.50	31.68	20.08	21.28	4.00	30.85	18.30	5.00	12.20
TFC-7001	6.00	39.50	70.00	99.10	31.70	62.50	11.03	33.88	21.53	23.15	3.75	31.55	18.23	4.25	13.18
Wyatt	5.25	31.50	66.25	108.30	31.85	68.15	11.90	33.88	24.93	22.03	3.50	31.35	18.20	4.50	13.15
KY-31	3.00	24.75	64.25	145.50	34.38	84.88	16.00	48.00	31.38	32.13	4.50	45.73	25.85	6.00	19.78
LSD 5%	0.42	2.19	1.36	7.32	1.72	5.36	1.55	2.77	2.03	1.65	0.63	2.22	1.83	0.55	0.76
C.V.	6.40	5.28	1.65	5.58	4.37	6.58	10.68	6.50	7.00	5.87	14.15	5.50	7.72	9.94	4.64

Measurement taken in Albany, Oregon.
4 reps; 20 plants/rep = 80 data points.
▬ Cultivar under evaluation
▬ significant difference over two years one location.
▬ significant difference over one year one location.

Table 2A

1998 Laboratory Morphological Measurements

Cultivar	Lemma Length (mm)	Lemma Awn Length (mm)	Lemma Width (mm)	Palea Length (mm)	Palea Width (mm)	Glume Length (mm)	Florets Per Spikelet	Spikelet Length (mm)	Spikelets Per Panicle	Whorl Distance (mm)	Whorl Length (mm)	Spikelet Number Longest Whorl
BR-1	7.28	1.88	1.33	6.18	1.18	4.33	6.75	12.13	66.50	50.48	86.10	13.25
DLSD	7.20	1.68	1.35	6.25	1.20	4.25	6.25	11.60	89.50	57.53	101.38	15.25
TSD	7.08	1.58	1.35	6.28	1.20	4.38	6.50	12.15	76.25	55.70	97.90	14.75
TFC-7001	7.28	1.63	1.33	6.70	1.18	4.50	6.75	13.10	62.00	49.63	85.80	12.25
Wyatt	6.95	1.68	1.30	6.00	1.13	4.30	5.75	10.60	81.75	54.93	95.65	14.75
KY-31	8.18	1.95	1.40	7.13	1.23	5.33	6.25	12.80	101.75	73.48	125.48	16.50
LSD 5%	0.22	0.17	0.07	0.16	0.08	0.14	0.60	0.46	10.50	3.30	8.14	1.99
C.V.	2.51	8.50	4.45	2.12	5.81	2.73	7.78	3.32	11.03	4.91	6.98	11.52

Measurement taken in Albany, Oregon.
4 reps; 20 plants/rep = 80 data points.
▬ Cultivar under evaluation
▬ significant difference over two years one location.
▬ significant difference over one year one location.

Table 2B

1999 Morphological Measurements

Cultivar	Lemma Length (mm)	Lemma Awn Length (mm)	Lemma Width (mm)	Palea Length (mm)	Palea Width (mm)	Glume Length (mm)	Florets Per Spikelet	Spikelet Length (mm)	Spikelets Per Panicle	Whorl Distance (mm)	Whorl Length (mm)	Spikelet Number Longest Whorl
BR-1	5.93	1.58	1.15	5.98	1.00	4.30	4.75	10.53	69.50	46.00	77.65	12.50
DLSD	6.05	1.18	1.15	5.98	1.05	4.05	5.00	10.33	91.25	50.38	84.45	15.00
TSD	6.10	1.20	1.15	6.13	1.03	4.55	5.00	10.63	78.00	52.65	88.18	13.75
TFC-7001	6.43	1.25	1.15	6.40	1.03	4.68	5.00	10.78	72.25	47.53	75.48	12.50
Wyatt	5.95	1.08	1.15	6.03	1.05	4.40	4.50	9.70	83.50	48.33	78.75	14.00
KY-31	6.83	1.30	1.20	6.90	1.10	5.15	4.75	11.48	108.00	62.60	99.93	14.75
LSD 5%	0.30	0.16	0.06	0.21	0.04	0.18	0.48	0.38	13.30	4.24	8.92	2.74
C.V.	4.03	10.97	4.88	2.83	3.80	3.33	8.22	3.04	13.35	7.05	9.03	16.61

Measurement taken in Albany, Oregon.
4 reps; 20 plants/rep = 80 data points.
▪ Cultivar under evaluation
▪ significant difference over two years one location.
▪ significant difference over one year one location.

Table 3A

1998 Measurements

Cultivar	Anther Color % Yellow	Growth Habit % Erect	Panicle Orientation % Erect	Panicle Shape % Oblong	Panicle Type % Open	Leaf Blade Anthocyanin % Purple	Lemma Awn % Awned	Node Color % Distinct	Glume Color % Red	Seed Weight 1000 seed/mg
BR-1	77	84	80	79	79	48	100	31	19	2346
DLSD	99	80	82	80	80	53	100	18	19	2326
TSD	79	82	97	95	95	55	100	14	19	2257
TFC-7001	80	71	94	93	93	55	100	38	15	2317
Wyatt	95	82	87	72	73	56	100	43	13	1984
KY-31	98	75	60	100	100	41	100	57	16	3465

Table 3B

1999 Measurements

Cultivar	Anther Color % Yellow	Growth Habit % Erect	Panicle Orientation % Erect	Panicle Shape % Oblong	Panicle Type % Open	Leaf Blade Anthocyanin % Purple	Lemma Awn % Awned	Node Color % Distinct	Glume Color % Red	Seed Weight 1000 seed/mg
BR-1	72	82	80	77	77	52	96	4	0	
DLSD	94	82	82	86	86	57	89	5	1	
TSD	77	99	97	88	88	55	87	1	1	
TFC-7001	69	95	94	91	91	60	91	4	0	
Wyatt	91	84	87	75	75	62	84	24	3	
KY-31	95	52	60	96	96	39	86	24	1	

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055 EXPIRES 12-31-96

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine is a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)

ProSeeds Marketing, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

DLSD

3. VARIETY NAME

Finelawn Elite
9/21/04

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*

13963 Westside Lane, South
Jefferson, Oregon 97352

5. TELEPHONE *(include area code)*

(541) 928 - 9999

6. FAX *(include area code)*

(541) 924 - 5695

7. PVPO NUMBER 200200018

8. Does the applicant own all rights to the variety? *Mark an "X" in appropriate block.* If no, please explain. [x] YES [ ] NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?
If no, give name of country _____ [x] YES [ ] NO

10. Is the applicant the original breeder? If no, please answer the following: [x] YES [ ] NO

a. If origianl rights to variety were owned by individual (s):
Is (are) the original breeder(s) a U.S. national(s)? If no give name of country _____ [x] YES [ ] NO

b. If original rights to variety were owned by a company:
Is the original breeder(s) U.S. based company? If no give name of country _____

11. Additional explanation on ownership (*If needed, use reverse for extra space*):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department Of Agriculture (USDA) prohibits discrimination in its programs on the basis, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status (Not all prohibited basis apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington D.C., 20250, or call (202) 720-7327 (Voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (03-96)